

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6548

BILL NUMBER: HB 1250

DATE PREPARED: Nov 29, 2001

BILL AMENDED:

SUBJECT: Driving While Intoxicated.

FISCAL ANALYST: Karen Firestone

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes certain drunken driving offenses Class B misdemeanors instead of Class C misdemeanors if the offenses occur within 1,000 feet of a school.

Effective Date: July 1, 2002.

Explanation of State Expenditures: Under current law, operating a vehicle with an alcohol concentration between 0.08 grams and 0.15 grams per 100 milliliters of blood or 210 liters of breath, operating a vehicle with a schedule I or II controlled substance, or operating a vehicle while intoxicated are all Class C misdemeanors. Under the bill, each of these offenses would be a Class B misdemeanor if the offense is committed within 1,000 feet of school property.

Revenue to the Common School Fund may increase if a person is sentenced for a Class B misdemeanor rather than for a Class C misdemeanor. The maximum fine for a Class C misdemeanor is \$500, while the maximum fine for a Class B misdemeanor is \$1,000. Court fees of \$120 would remain unchanged.

Explanation of Local Expenditures: Costs to local governments could increase because the maximum term of imprisonment for a Class C misdemeanor is up to 60 days, while the maximum term for a Class B misdemeanor is up to 180 days. The average daily cost of housing a prisoner is approximately \$44.

Explanation of Local Revenues: Court fees of \$120 would remain unchanged.

State Agencies Affected:

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs Association.